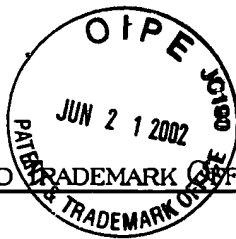




UNITED STATES PATENT AND TRADEMARK OFFICE


 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/083,453	02/26/2002	William T. Dalebout	13914.380.1.1.1

CONFIRMATION NO. 8307

## FORMALITIES LETTER



\*OC000000007920269\*

 WORKMAN, NYDEGGER & SEELEY  
 1000 Eagle Gate Tower  
 60 E. South Temple  
 Salt Lake City, UT 84111

Date Mailed: 04/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/28/2002 MBIZUNES 00000067 10083453

01 FC:105

130.00 OP

**WORKMAN  
NYDEGGER  
& SEELEY**

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†ADMITTED ONLY IN CALIFORNIA

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GENERAL E-MAIL: [info@wnspatent.com](mailto:info@wnspatent.com)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William T. Dalebout et al.

Serial No.: 10/083,453

Filing Date: February 26, 2002

Confirmation No.: 8307

For: FOLD-OUT TREADMILL

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) Art Unit  
) 3764  
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Assistant Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed April 22, 2002, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- X A Declaration, Power of Attorney, and Petition executed by the inventors.
- X An Assignment conveying the invention to ICON Health & Fitness, including a Form PTO-1595 recordation cover sheet.

☐ A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.

☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

☒ Petition to Correct Filing Receipt is enclosed.

☒ A copy of the Notice to File Missing Parts of Nonprovisional Application.

☒ A Certificate of Express Mail under 37 C.F.R. § 1.10.

☐ To render the Response timely filed, enclosed are the following:

☐ Petition for a \_\_\_\_-Month Extension of Time; and

☐ Check No. \_\_\_\_ in the amount of \$ \_\_\_\_ to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOT. CLAIMS	-20=		X 9=		X 18=	
IND. CLAIMS	-3=		X 42		X 84=	
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			TOTAL		TOTAL	

☒ Form PTO-2038 submitting Credit Card Payment in the amount of \$170.00 is enclosed to cover:

☐ The \$ \_\_\_\_ government filing fee.

☒ The \$40.00 recordation fee of the enclosed assignment.

☒ The \$130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

     The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 21<sup>st</sup> day of June 2002.

Respectfully submitted,



ROBYN L. PHILLIPS  
Attorney for Applicant  
Registration No. 39,330



**022913**

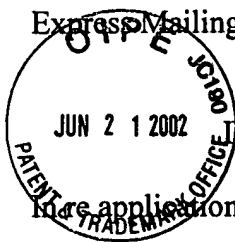
PATENT TRADEMARK OFFICE

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Express Mailing Label No. EV 001 341 085 US

PATENT APPLICATION  
Docket: 13914.380.1.1.1



JUN 21 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

More application of:

William T. Dalebout et al.

Serial No.: 10/083,453

Filing Date: February 26, 2002

Confirmation No.: 8307

For: FOLD-OUT TREADMILL

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) Art Unit  
) 3764  
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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on this 21<sup>st</sup> day of June 2002:

- Response to Notice to File Missing Parts of Nonprovisional Application (3 pgs.) (in duplicate)
- Declaration, Power of Attorney, and Petition (3 pgs.)
- Assignment with Form PTO-1595 (6 pgs.)
- Copy of Notice to File Missing Parts of Nonprovisional Application (1 page)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$170.00
- Petition to Correct Filing Receipt (2 pages)
- Copy of Filing Receipt (2 pages)
- Postcard

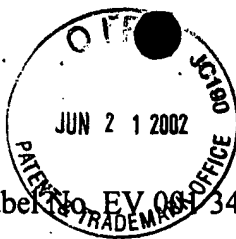
Respectfully submitted,

ROBYN L. PHILLIPS  
Attorney for Applicant  
Registration No. 39,330

WORKMAN, NYDEGGER & SEELEY  
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60 East South Temple  
Salt Lake City, Utah 84111  
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Express Mailing Label No. EV 08 341 085 US

PATENT APPLICATION  
Docket No. 13914.380.1.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
 )  
 William T. Dalebout et al. )  
 )  
 Serial No.: 10/083,453 )  
 ) Art Unit  
 Filing Date: February 26, 2002 ) 3764  
 )  
 Confirmation No.: 8307 )  
 )  
 For: FOLD-OUT TREADMILL )

PETITION FOR CORRECTION OF FILING RECEIPT

Office of Initial Patent Examination's  
Customer Service Center  
United States Patent and Trademark Office  
Washington, DC 20231

Dear Sir:

Attached is a copy of the official Filing Receipt received from the United States Patent and Trademark Office in the above-identified application for which issuance of a corrected Filing Receipt is respectfully requested.

Please amend the Filing Receipt in the Domestic Priority data as claimed by applicant to read as follows:

THIS APPLICATION IS A CIP OF 09/470,605 12/22/1999, PAT 6,350,218 B1  
WHICH IS A CIP OF 09/231,208 01/14/1999, PAT 6,033,347  
WHICH IS A DIV OF 08/959,237 10/28/1997, PAT 5,899,834

The United States Patent and Trademark Office is hereby authorized to charge any required fee or credit any overpayment to Deposit Account No.23-3178. A duplicate copy of this sheet is attached.

Dated this 21<sup>st</sup> day of June 2002.

Respectfully submitted,

A handwritten signature in black ink that reads "Robyn L. Phillips". The signature is written in a cursive style with a large, stylized "R" and "P".

ROBYN L. PHILLIPS  
Attorney for Applicant  
Registration No. 39,330

WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

RLP:dfw

G:\WPDOCS3\TLW\RLP\CLIENTS\13914\2002\380.1.1.1\CORRECTFILINGRECEIPT.DOC



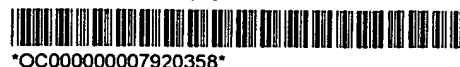
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/083,453	02/26/2002	3764	1220	13914.380.1.1.1	11	28	7

CONFIRMATION NO. 8307

## FILING RECEIPT



\*OC000000007920358\*

WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 E. South Temple  
Salt Lake City, UT 84111

Date Mailed: 04/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

William T. Dalebout, Residence Not Provided;  
Rodney Hammer, Residence Not Provided;  
Rick Hendrickson, Residence Not Provided;

PROCKETED  
File # \_\_\_\_\_  
By SR On 4-29-02  
Action \_\_\_\_\_  
Response Due \_\_\_\_\_

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/470,605 12/22/1999 PAT 6,350,218  
WHICH IS A CIP OF 09/231,208 01/14/1999 PAT 6,033,347 \*  
WHICH IS A DIV OF 08/626,237 03/29/1996 PAT 5,787,028 \*  
(\* Data inconsistent with PTO records.

959 10/28/1997 5,899,834

## Foreign Applications

If Required, Foreign Filing License Granted 04/18/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Fold-out treadmill



Preliminary Class

482

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).